IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

IN RE APPLICATION OF:　　　　§

　　　Maria Azua Himmel, *et al*.　§

　　　　　　　　　　　　　　§　　EXAMINER: Jeffrey C. Pwu

SERIAL NO: 10/047,004　　　　§

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CONFIRMATION NO.: 6341　　§

　　　　　　　　　　　　　　§　　GROUP ART UNIT: 2143

FILED:　　January 16, 2002　　§

　　　　　　　　　　　　　　§　　Via Facsimile: 571-273-8300

FOR:　Automatically Sending a URL by　§

　　　E-Mail or Telephone　　　§

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APPEAL BRIEF

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APPEAL BRIEF

Appellant timely filed a Notice of Appeal to this Board on July 6, 2006 appealing the decision of the Examiner in the Final Office Action dated April 6, 2006 for the above captioned application. Appellant hereby submits this Appeal Brief pursuant to 37 C.F.R. 41.37.

(1) REAL PARTY IN INTEREST

The real party of interest in this action is International Business Machines Corporation, the recorded assignee of the entire right, title and interest in and to the patent application now under appeal before this Board. International Business Machines Corporation is a corporation of the State of New York, having a place of business in Armonk, New York 10504.

(2) RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, Appellants' legal representative, or Assignee that will affect or be directly affected by or have a bearing upon the Board's decision in the pending appeal. However, Appellant wishes to point out that this case was the subject of a previous appeal (See Appellant's Appeal Brief of January 11, 2006). The rejections forming the basis of the previous appeal were withdrawn by the Final Office Action dated April 6, 2006.

(3) STATUS OF THE CLAIMS

The status of all claims in the application under appeal is as follows: claims 1-44 are pending in the application. Claims 1-44 stand rejected and are under appeal.

(4) STATUS OF AMENDMENTS

No amendments to the claims have been submitted since the Final Office Action dated April 6, 2006.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

There are five independent claims involved in this appeal, including independent method claims 1, 15 and 17, independent computer program product claim 18, and independent computer system claim 31.

Independent claim 1 is directed to a computer implemented method for providing a Uniform Resource Locator (URL) to a customer. (Specification, page 2, lines 10-11; Figure 2; *See also* Figure 1) The method comprises receiving a customer identification record including a destination address associated with a communications terminal of the customer during a telephone call with the customer, selecting at least one URL to be sent to the destination address of the customer, and generating and sending an electronic message containing the at least one URL to the destination address of the customer. (Specification, page 2, lines 11-15; Figure 2, steps 100-120; original claim 1). An advantage of the present method is that the customer is provided with a selected URL without having to write or memorize the URL at the risk of making mistakes.

Independent claim 15 is directed to a method for sending a Uniform Resource Locator (URL) to a communications terminal of a first party. The method comprises registering a destination address of the communications terminal with a database maintained by a sender (Specification, page 3, lines 19-21; page 5, lines 23-25 and 29-30; original claim 15), selecting at least one URL to be sent to the communications terminal during a telephone call between the first party and the sender (Specification, page 2, lines 11-15; Figure 2, steps 100-120; original claim 15), generating an e-mail by a telephone system of the sender containing the at least one URL, and sending the e-mail containing the at least one URL from a telephone system of the

sender to the destination address of the communications terminal. (Specification, page 2, lines 11-15; page 6, lines 6-12; Figure 2, step 120; original claim 15).

Independent claim 17 is directed to a method for obtaining a Uniform Resource Locator (URL) for use by a communications terminal of a first party. (Specification, page 3, lines 4-6; original claim 17). The method comprises selecting at least one URL to be sent to the communications terminal during a telephone call between the first party and a sender (Specification, page 2, lines 15-16; Abstract, lines 3-5; original claim 17), automatically providing a destination address of the communications terminal to the sender during the same telephone call (Specification, page 4, lines 25; original claim 17), and receiving an electronic message containing the at least one URL from a telephone system of the sender (Specification, page 2, lines 10-11; original claim 17).

Independent claim 18 is directed to a computer program product including instructions embodied on a computer readable medium, for sending a Uniform Resource Locator (URL) to a communications terminal of a first party (Specification, page 7, lines 4-7; original claim 18). The instructions comprise receiving instructions for receiving a first party identification record including a destination address of the communications terminal during a telephone call with the first party, selecting instructions for selecting at least one URL to be sent to the destination address of the communications terminal, generating instructions for generating an electronic message containing the at least one URL, and sending instructions for sending the electronic message containing the at least one URL to the destination address of the communications terminal. (Specification, original claim 18).

Independent claim 31 is directed to a computer system for providing a Uniform Resource Locator (URL) to a first party. The computer system comprises receiving means for receiving a

first party identification record including a destination address associated with a communications terminal of the first party during a telephone call with the first party, selection means for selecting at least one URL to be sent to the destination address of the first party, and messaging means for generating and sending an electronic message containing the at least one selected URL to the destination address. (Specification, page 2, lines 11-15; Figure 2, steps 100-120; original claim 31).

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

a. Whether claims 1-44 are anticipated under 35 U.S.C. 102(e) by Clapper, U.S. Publication No. 2003/0026403.

(7) ARGUMENT

a. Whether claims 1-44 are anticipated under 35 U.S.C. 102(e) by Clapper, U.S. Publication No. 2003/0026403.

(1) Applicable law.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim*." *Lindemann Mashinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984). Under 35 U.S.C. Section 102, anticipation requires that "the prior art reference must be enabling, thus placing the allegedly disclosed matter in the possession of the public." *Akzo N.V. v. U.S. Int'l Trade Comm'n*, 808 F.2d 1471, 1 USPQ2d 1241, 1245 (Fed. Cir 1986). "There must be no difference between the claimed invention and the reference disclosure, as

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viewed by a person of ordinary skill in the field of the invention." *Scripps Clinic & Research Found. v. Genentech Inc.*, 927 F.2d 1565, 18 USQP2d 1001, 1010 (Fed. Cir. 1991).

    (2)   Review of the cited prior art.

    U.S. Publication No. 2003/0026403 (hereinafter "Clapper"), entitled CALLER ID LOOKUP, discloses an appliance including a telephone mechanism that receives caller ID information (Clapper, ¶[0017], lines 2-5). Clapper teaches that "[c]aller ID allows suitably equipped telephone equipment to determine and display, at the called party's premises, the identity of the person placing a phone call, or, more specifically, the telephone number of the calling phone and usually an identification of its owner." (Clapper, ¶[0005]). Clapper describes and shows the appliance as including the caller ID mechanism 32, an internet client 34, search director 36, email program 38, data presentation composer 40, memory 42, processor 44, an optional audio encoder, and a presentation interface 50. (Clapper, ¶[0017] and Figure 1).

    "The appliance receives (60) a phone call from a sender, stores (62) the caller ID information which it receives with the phone call from the phone system, and answers (64) the call." (Clapper, ¶[0019], lines 2-5). "If the caller does not hang up, but begins speaking, the appliance records (68) the incoming voicemail message to the storage." (Clapper, ¶[0020], lines 3-5).

    After receiving the caller ID information, "the appliance connects (72) to the internet using its internet client, and searched (74) one or more remote websites for other information correlated with the caller ID information, using its search director." (Clapper, ¶[0021], lines 1-6). "Upon receiving the correlated information, such as the caller's address, email address, and so forth, the applicance stores (76) this information to the storage." (Clapper, ¶[0021], lines 8-11).

    "In some embodiments, the appliance may then compose and send (78) an email to one or more predetermined email addresses, with the voicemail audio file included e.g. as an attached file." (Clapper, ¶[0022], lines 1-4). "In some such embodiments, the user may have specified a single email

address to which all voicemails should be forwarded; such embodiments would be useful, for example, if the user is going to his summer home (where he has an email connection but no phone) for a week but needs to continue receiving his voicemail." (Clapper, ¶[0022], lines 4-10).

Alternatively, the appliance may receive (80) a request from one of the remote email/web clients for a web page to contain the requester's voicemail. (Clapper, ¶[0023], lines 2-6). "The appliance's html composer constructs (82) a web page, such as in the form of a table, using data which has been placed in storage (in accordance with the method of FIG. 2) and sends the web page in response to the request. (Clapper, ¶[0023], lines 7-14). "FIG. 4 illustrates one exemplary embodiment of a voicemail interface web page which may be constructed by the html compose." (Clapper, ¶[0026], lines 1-3).

Accordingly, the appliance of Clapper provides its owner with various ways to obtain voicemail messages. This is useful, for example, when the called party is on a business trip or vacation. (Clapper, ¶[0022]).

(3) <u>Clapper fails to disclose each of the limitations of independent claim 1, 18, and 31</u>. Applicant respectfully asserts that a *prima facie* case of anticipation has not been presented because Clapper fails to disclose each and every element as set forth in the claims. Applicant claims a method for providing a URL to a customer, comprising, *inter alia*, "<u>receiving</u> a customer identification record including <u>a destination address</u> associated with a communications terminal of the customer <u>during a telephone call</u> with the customer; selecting at least one URL to be sent to the destination address of the customer; and generating and <u>sending an electronic message</u> containing the at least one URL <u>to the destination address</u> of the customer." (Claim 1)

Specifically, Clapper fails to disclose "sending at least one URL to the destination address of the customer" (claim 1). In fact, Clapper fails to disclose sending anything to the customer. Rather, claim 1 specifies the step of "receiving a customer identification record including <u>a destination address</u>" and sending an electronic message "to <u>the destination address</u>."

In claim 1, these two limitations refer to the same destination address. Accordingly, claim 1 requires receiving a destination address <u>during</u> a telephone call and sending a message to the destination address that was received.

In support of the rejection, the Examiner cites Clapper at ¶[0017] as disclosing the step of "receiving a telephone call having a customer identification record including a destination address associated with a communications terminal of the customer." However, the Examiner fails to point out what aspect of paragraph [0017] is being asserted as disclosing this limitation. Applicant assumes that Clapper at ¶[0017] is being cited for the statement that "It [the appliance] includes a caller ID mechanism 32 for receiving caller ID information from the telephone system." (Final Office Action, page 2, citing Clapper, ¶[0017]). Therefore, the Examiner appears to be asserting that Clapper's receiving "caller ID information" discloses receiving a "destination address" of the present claims. Accordingly, the Examiner must also show that Clapper discloses the claimed step of sending an electronic message "to the destination address." However, even if the destination address were the caller ID, then the anticipation rejection is unsupportable because the Examiner has not shown that Clapper discloses sending an electronic message containing the at least one URL to the caller ID.

Applicant asserts that the Examiner has not made such a showing that the anticipation rejection is unsupportable. Specifically, the Examiner cites Clapper at ¶[0017] as disclosing the step of "sending an electronic message containing the at least one URL to the caller ID." (Final Office Action, page 4, citing Clapper, ¶[0017]). The Examiner asserts Clapper as disclosing "an email program 38 for sending email via the internet client to one or more of the remote email clients." *Id.* However, the "remote email clients" referred to in this passage are the same as the "one or many remote email/web clients 20 which are capable of receiving email and web pages

over the internet. (Clapper, ¶[0016], lines 14-16). The appliance owner can use a remote email client system or remote web client system to receiving voicemail messages from the appliance. However, nobody other than the appliance owner would have access to the voicemail messages. In fact, the appliance and methods described by Clapper do not provide for the caller to take any actions other than calling to leave a voicemail message and the appliance doesn't send any information to the caller or a destination address obtained from the caller.

The language of claim 1 makes it clear that the destination address for receiving the email containing the URL has to be provided by the customer (calling party) during a telephone call, rather than being provided by the called party. Clapper's system and methods all occur for the benefit of the called party and only provide information to the called party about the calling party. By contrast, the invention of claim 1 allows the calling party to make a request for information and provide a destination address during a telephone call, then the called party provides that information to a destination address provided by the calling party.

Clapper's disclosure of sending an email containing a URL from the called party's appliance to a remote client system designated by the same called party simply for remote access to their own information, is very distinct from sending an email containing a requested URL from the called party's system to the calling party's designated destination address.

Clapper says that:

> [0022] In some embodiments, the appliance may then compose and send (78) an email to one or more predetermined email addresses, with the voicemail audio file included e.g. as an attached file. In some such embodiments, the user may have specified a single email address to which all voicemails should be forwarded; such embodiments would be useful, for example, if the user is going to his summer home (where he has an email connection but no phone) for a week but needs to continue receiving his voicemail.
> (Clapper, ¶[0022])

This description shows that Clapper does not contemplate that a third party such as a customer could provide remote input of a destination address that would receive the message. Clapper is solely directed at a user gaining remote access to the user's own voicemail messages.

Furthermore, it is clear from the present specification, that a destination address is not the same as a caller ID. On this point, the specification states:

> Preferably, the customer records the destination address for the communications terminal in the caller ID service of the customer's telephone system so that the merchant's (or other URL-provider's) telephone system may read the address. Alternatively, the customer may register the customer's destination address with the customer's telephone service provider so that the telephone service provider may attach the destination address to the customer's caller ID. Optionally, the customer may record the customer's destination address in the customer's telephone system, but not as part of the customer's caller ID. Then, when the merchant requests that the customer provide a destination address, the customer may choose to transmit the destination address stored in the customer's telephone system to the merchant. Alternatively, the customer may register the customer's destination address with the merchant for storage in a database of the merchant. Then, when the customer places a telephone call to the merchant, the merchant may retrieve the destination address from the database based upon the name contained in the customer's caller ID, or based up the name given by the customer during the telephone conversation, or other suitable means and then dispatch a message containing the desired URL's to the destination address.
> (Specification, page 5 line 20 to page 6, line 4).

While claims 18 and 31 are distinct from claim 1 in various ways, many of the foregoing comments are equally application in distinguishing these claims from Clapper.

    (4)   <u>Clapper fails to disclose the limitations of claims 2, 19 and 32.</u>

Regarding claims 2, 19 and 32, Applicant claims that the electronic message additionally contains items "selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information or combinations thereof, wherein the user ID and user password are required by the website having the address of the URL." (Claims 2, 19

and 32). In support of the rejection of this element, the Examiner cites Clapper at ¶[0017]. However, the Examiner fails to explain how the citation discloses the limitation of these claims.

Applicant asserts that Clapper does not disclose that the electronic message additionally contains "items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information or combinations thereof, wherein the user ID and user password are required by the website having the address of the URL." Because each and every element as set forth in the claim has not been shown in Clapper, there can be no anticipation.

(5) Clapper fails to disclose the limitation of claim 3, 20, 33.

Clapper fails to disclose "recording the at least one URL into a bookmark section of a browser in the communications terminal." (Claim 3). The Examiner cites to Clapper at ¶[0024], but this paragraph does not even mention a bookmark section of a browser. Furthermore, the phrase "the communications terminal" find antecedent basis in claim 1 where it is stated as being "the communications terminal of the customer." The cited Clapper passage deals with hyperlinks that the remote user (appliance owner) can use to access voicemail messages. The final office action provides no explanation how the cited paragraph discloses the present limitation. Because each and every element as set forth in the claim has not been shown in Clapper, there can be no anticipation.

(6) Clapper fails to disclose the limitation of claim 11 and 28.

Clapper fails to disclose "saving the destination address as part of a caller ID within the telephone system." (Claim 11). The Examiner cites certain elements that appear to be taken from Clapper at Figure 4. However, there is no explanation how this discloses "the destination address" or saving a caller ID "within the telephone system." The antecedent basis for "the

destination address" is found in claim 1 and makes it clear that this is a reference to the destination address that was included in a customer identification record received via a telephone call. (See claim 1). Claim 1 also includes the limitation of "generating and sending an electronic message containing the at least one URL to the destination address." Clapper's citation of "(caller ID from 'D.B.Cooper', 'Tom Li', 'DAD', 'Gear Co.', '<private>')" in a webpage for a remote user to access voicemail messages does disclose this limitation. The Examiner's failure to explain how the cited passage of Clapper is being applied against the claim limitations makes the rejection ambiguous and underscores a conclusion that Clapper does not disclose each and every element as set forth in the claim.

     (7) <u>Clapper fails to disclose the limitation of claim 13, 30, and 43</u>.

     Clapper fails to disclose "wherein the step of selecting the at least one URL further comprises: requesting the telephone system of the merchant to provide a menu of URLs, wherein the menu provides a code associated with each of the URLs; and choosing the at least one URL to capture by entering the associated code, using a keypad on the customer's telephone, for each of the selected URLs." (Claim 13). The only support for the anticipation rejection of claim 13 provided in the final office action is "(Fig.4,"administer password)." Again, the Examiner's failure to explain how the cited passage of Clapper is being applied against the claim limitations makes the rejection ambiguous and underscores a conclusion that Clapper does not disclose each and every element as set forth in the claim. Applicant can not find any basis for the Examiner to assert that "(Fig.4,"administer password)" discloses "choosing the at least one URL to capture by entering the associated code, using a keypad on the customer's telephone, for each of the selected URLs."

Applicant would point out that, according to claim 13, the customer's (calling party's) telephone keypad is used to choose the at least one URL that will be contained in the electronic message sent to the destination address. By contrast, the voicemail interface web page of Clapper, Figure 4, provides the called party with the voicemail messages received. (Clapper, ¶[0026]). Clapper does not disclose and the Examiner does not explain how the customer's telephone keypad could be used in association with the "administer password" button of Figure 4.

Claim 30 is similar to claim 13 and the comments made here are also asserted with respect to claim 30.

(8) Clapper fails to disclose the limitation of claim 14.

Claim 14 includes the limitation "wherein the step of receiving the destination address is selected from reading the address from a caller ID, querying the customer to transmit the address to the telephone system of the merchant, or combinations thereof." The Examiner cites ¶[0026]-[0029] without comment or explanation. The cited paragraphs of Clapper deal with providing a voicemail interface web page to the called party with the voicemail messages received, but do not deal with the subject matter of claim 14. Clapper does not disclose receiving the destination address in any of the manners set out in claim 14.

(9) Clapper fails to disclose each of the limitations of independent claim 15.

Clapper fails to disclose at least one limitation of claim 15. In particular, Applicant asserts that Clapper does not disclose "registering a destination address of the communications terminal with a database maintained by a sender" and "*sending* the e-mail c*ontaining the at least one URL from a telephone system of the sender* to *the destination address* of the communications terminal" (claim 15). Although claim 15 and claims depending from claim 15 are not identical

to claim 1 and claims depending from claim 1, the Examiner has cited no support for the anticipation rejection other than asserts "Claims 15-44 are similarly rejected as in claims 1-44." It appears that the Examiner may have meant "Claims 15-44 are similarly rejected as in claims 1-14." Regardless, Applicant asserts that Clapper makes no mention of sending an email containing a URL to a destination address provided by the communications terminal.

(10) Independent claims 17 and 18.

Clapper fails to disclose "*receiving* an e-mail message containing the at least one *URL* from a telephone system of the sender" (claim 17), or "*sending* instructions for sending the e-mail containing the at least one *URL* from a telephone system of the sender *to the destination address* of the communications terminal" (claim 18).

Regarding claims 17 and 18, Applicant claims that the electronic message containing the selected URL is sent by or received from the telephone system of the sender. Clapper is silent as to the telephone system of the callee sending any Internet message to the caller. Clapper simply does not disclose that the electronic message containing the selected URL is sent by or received from the telephone system of the sender. The telephone system of the sender is a separate entity from the communications terminal.

(11) Clapper fails to disclose the limitation of claim 27.

Clapper fails to disclose at least one limitation of claim 27, which sets out a computer program product "wherein the recording instructions for recording the destination address comprises: selecting instructions for selecting a menu function on the telephone system of the customer for recording the destination address of the communications terminal; specifying instructions for specifying the destination address on an interactive display provided by the telephone system of the first party." (Claim 27). Clapper does not ever disclose a menu function

on the telephone system of the customer for recording the destination address of the communications terminal.

Therefore, because the cited prior art reference fails to disclose each and every limitation of the claims, Appellant respectfully asserts that a *prima facie* case of anticipation has not been presented. Therefore, Appellant respectfully requests the Board to find that claims 1-44 presented on appeal are patentable.

Respectfully submitted,

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APPENDIX IN SUPPORT OF APPELLANT'S APPEAL BRIEF

(8) CLAIMS APPENDIX

What is claimed is:

1. (previously presented) A computer implemented method for providing a Uniform Resource Locator (URL) to a customer, comprising:

      receiving a customer identification record including a destination address associated with a communications terminal of the customer during a telephone call with the customer;

      selecting at least one URL to be sent to the destination address of the customer; and

      generating and sending an electronic message containing the at least one URL to the destination address of the customer.

2. (previously presented) The method of claim 1, wherein the electronic message contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, merchant information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL.

3. (original) The method of claim 1, further comprising:

      recording the at least one URL into a bookmark section of a browser in the communications terminal.

4. (previously presented) The method of claim 1, wherein the customer has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

5. (previously presented) The method of claim 1, wherein a merchant sending the electronic message has a telephone system selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

6. (previously presented) The method of claim 1, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant or combinations thereof.

7. (original) The method of claim 1, wherein the communications terminal is a device capable of receiving e-mail.

8. (previously presented) The method of claim 1, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

9. (original) The method of claim 1, wherein each URL comprises an address for connecting to a Website.

10. (original) The method of claim 1, wherein the step of recording the destination address comprises:

 selecting a menu function on a telephone system of the customer for recording the destination address associated with the communications terminal; and

 specifying the destination address on an interactive display provided by the telephone system of the customer.

11. (original) The method of claim 10, further comprising:

 saving the destination address as part of a caller ID within the telephone system.

12. (original) The method of claim 11, wherein the caller ID contains information selected from date, time, customer telephone number, customer name, customer e-mail address or combinations thereof.

13. (original) The method of claim 1, wherein the step of selecting the at least one URL further comprises:

　　requesting the telephone system of the merchant to provide a menu of URLs, wherein the menu provides a code associated with each of the URLs; and

　　choosing the at least one URL to capture by entering the associated code, using a keypad on the customer's telephone, for each of the selected URLs.

14. (previously presented) The method of claim 1, wherein the step of receiving the destination address is selected from reading the address from a caller ID, querying the customer to transmit the address to the telephone system of the merchant, or combinations thereof.

15. (previously presented) A method for sending a Uniform Resource Locator (URL) to a communications terminal of a first party, comprising:

　　registering a destination address of the communications terminal with a database maintained by a sender;

　　selecting at least one URL to be sent to the communications terminal during a telephone call between the first party and the sender;

　　generating an e-mail by a telephone system of the sender containing the at least one URL; and

　　sending the e-mail containing the at least one URL from a telephone system of the sender to the destination address of the communications terminal.

16. (previously presented) The method of claim 15, wherein the step of sending an e-mail further comprises:

　　detecting the first party identification; and

　　dispatching the e-mail to the destination address registered in the sender database under the first party identification, wherein the first party identification is detected by a technique selected from reading the first party identification from the caller ID, querying the first party for the first party identification, or combinations thereof.

17. (previously presented) A method for obtaining a Uniform Resource Locator (URL) for use by a communications terminal of a first party comprising:

      selecting at least one URL to be sent to the communications terminal during a telephone call between the first party and a sender;

      automatically providing a destination address of the communications terminal to the sender during the same telephone call; and

      receiving an electronic message containing the at least one URL from a telephone system of the sender.

18. (previously presented) A computer program product including instructions embodied on a computer readable medium, for sending a Uniform Resource Locator (URL) to a communications terminal of a first party, the instructions comprising:

      receiving instructions for receiving a first party identification record including a destination address of the communications terminal during a telephone call with the first party;

      selecting instructions for selecting at least one URL to be sent to the destination address of the communications terminal;

      generating instructions for generating an electronic message containing the at least one URL; and

      sending instructions for sending the electronic message containing the at least one URL to the destination address of the communications terminal.

19. (previously presented) The computer program product of claim 18, wherein the electronic message contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, sender information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL.

20. (original) The computer program product of claim 18, further comprising:

      recording instructions for recording the at least one URL into a bookmark section of a browser on the communications terminal.

21. (previously presented) The computer program product of claim 18, wherein the first party telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

22. (original) The computer program product of claim 18, wherein a sender telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

23. (original) The computer program product of claim 18, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant or combinations thereof.

24. (original) The computer program product of claim 18, wherein the communications terminal is a device capable of receiving e-mail.

25. (original) The computer program product of claim 18, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

26. (original) The computer program product of claim 18, wherein each URL comprises an address for connecting to a Website.

27. (previously presented) The computer program product of claim 18, wherein the recording instructions for recording the destination address comprises:

     selecting instructions for selecting a menu function on the telephone system of the customer for recording the destination address of the communications terminal;

     specifying instructions for specifying the destination address on an interactive display provided by the telephone system of the first party.

28. (previously presented) The computer program product of claim 27, further comprising:

saving instructions for saving the destination address as part of a first party ID within the telephone system of the first party.

29. (previously presented) The computer program product of claim 28, wherein the caller ID contains information selected from date, time, first party telephone number, first party name, first party e-mail address or combinations thereof.

30. (original) The computer program product of claim 18, wherein the selecting instructions for selecting the one or more URL's further comprises:

requesting instructions for requesting the sender telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs;

choosing instructions for choosing the at least one URL to capture, wherein choosing is accomplished by entering the code, using a keypad on the customer telephone, for each URL selected.

31. (previously presented) A computer system for providing a Uniform Resource Locator (URL) to a first party comprising:

receiving means for receiving a first party identification record including a destination address associated with a communications terminal of the first party during a telephone call with the first party;

selection means for selecting at least one URL to be sent to the destination address of the first party;

messaging means for generating and sending an electronic message containing the at least one selected URL to the destination address.

32. (previously presented) The computer system of claim 31, wherein the electronic message contains additional items selected from an electronic coupon, an on-line trial subscription, a user ID, a user password, advertisements, sender information, or combinations thereof, wherein the user ID and user password are required by the Website having the address of the URL.

33. (original) The computer system of claim 31, further comprising:

recording means for recording the at least one URL into a bookmark section of the communications terminal's browser.

34. (previously presented) The computer system of claim 31, wherein the first party telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

35. (previously presented) The computer system of claim 31, wherein a sender telephone system is selected from a digital telephone, a centrex, a PBX, a telephone service provider or combinations thereof.

36. (previously presented) The computer system of claim 31, wherein the communications terminal is selected from a mobile telephone, a personal computer, a handheld computer, a personal digital assistant or combinations thereof.

37. (original) The computer system of claim 31, wherein the communications terminal is a device capable of receiving e-mail.

38. (previously presented) The computer system of claim 31, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

39. (original) The computer system of claim 31, wherein each URL comprises an address for connecting to a Website.

40. (previously presented) The computer system of claim 31, wherein the recording means further comprises:

menu means for selecting a menu function on the telephone system of the first party for recording the communications terminal's destination address;

specifying means for specifying the destination address on an interactive display provided by the customer telephone system.

41. (previously presented) The computer system of claim 40, further comprising:

storage means for storing the destination address as part of a caller ID within the telephone system of the first party.

42. (previously presented) The computer system of claim 41, wherein the caller ID contains information selected from date, time, first party telephone number, first party name, first party e-mail address or combinations thereof.

43. (original) The computer system of claim 31, wherein the selection means further comprises:

requesting means for requesting the sender's telephone system to provide a menu of URLs, wherein the menu provides a code for each of the URLs; and

selecting means for selecting the at least one URL to capture by entering the code, using a keypad on the first party telephone, for each of the at least one URL selected.

44. (original) The computer system of claim 31, wherein the receiving means includes reading means for reading the destination address from a caller ID record.

(9) EVIDENCE APPENDIX

NONE

(10) RELATED PROCEEDINGS APPENDIX

NONE